



DEPARTMENT OF LABOR
Employment and Training Administration

Notice of Determinations Regarding Eligibility
to Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (19 USC 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA-W) number issued during the period of April 30, 2012 through May 4, 2012.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Under Section 222(a)(2)(A), the following must be satisfied:

- (1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;
- (2) the sales or production, or both, of such firm have decreased absolutely; and
- (3) One of the following must be satisfied:
 - (A) imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;
 - (B) imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;
 - (C) imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;
 - (D) imports of articles like or directly competitive with articles which are produced

directly using services supplied by such firm,
have increased; and

- (4) the increase in imports contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; or

II. Section 222(a)(2)(B) all of the following must be satisfied:

- (1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

- (2) One of the following must be satisfied:

- (A) there has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm;

- (B) there has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm; and

- (3) the shift/acquisition contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in public agencies and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(b) of the Act must be met.

- (1) a significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

- (2) the public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

- (3) the acquisition of services contributed importantly to such workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected secondary workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(c) of the Act must be met.

- (1) a significant number or proportion of the workers in the workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;
- (2) the workers' firm is a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, and such supply or production is related to the article or service that was the basis for such certification; and
- (3) either-
 - (A) the workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or
 - (B) a loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(f) of the Act must be met.

- (1) the workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in--

- (A) an affirmative determination of serious injury or threat thereof under section 202(b)(1);
 - (B) an affirmative determination of market disruption or threat thereof under section 421(b)(1); or
 - (C) an affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));
- (2) the petition is filed during the 1-year period beginning on the date on which--
 - (A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the Federal Register under section 202(f)(3); or
 - (B) notice of an affirmative determination described in subparagraph (1) is published in the Federal Register; and
- (3) the workers have become totally or partially separated from the workers' firm within--
 - (A) the 1-year period described in paragraph (2); or
 - (B) notwithstanding section 223(b)(1), the 1-year period preceding the 1-year period described in paragraph (2).

AFFIRMATIVE DETERMINATIONS FOR WORKER ADJUSTMENT ASSISTANCE

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production or services) of the Trade Act have been met.

TA-W number	Subject firm	Location	Impact date
81,384	MTD Consumer Group, Inc., Industrial Plastics Division, MTD Products, Inc., Ameritemps	Valley City, OH	March 2, 2011
81,445	Worley Parsons, Worley Parsons Corporation, Gas Unlimited and The Mergis Group, etc.	Pasadena, TX	March 22, 2011
81,457	Shaw's Supermarket, Supervalu, Inc., Accounts Payable Department	West Bridgewater, MA	January 16, 2012
81,466	Gates Corporation, Tomkins Ltd., Industrial and Automotive Group, Manpower	Charleston, MO	March 29, 2011
81,468	Acuity Brands Lighting, Inc., Sizemore Staffing Leased Workers	Cochran, GA	May 1, 2012
81,468A	Randstad	Cochran, GA	March 30,

	Staffing, Working On- Site at Acuity Brands Lighting, Inc.		2011
81,478	Supermedia, LLC, Supermedia, Inc., Information Technology Division	Middleton, MA	March 29, 2011
81,483	EMD Millipore Corporation, EMD Chemicals Division, Merck KGAA, Greentree, Ajilen and EMD Temps, etc.	Gibbstown, NJ	April 15, 2012
81,483A	Gloucester County Maintenance and Securities Security Services, EMD Millipore Corp., EMD Chemicals Division, Merck KGAA	Gibbstown, NJ	March 6, 2011
81,497	Eastman Kodak Company, Color Paper Testing Lab	Rochester, NY	April 11, 2011
81,517	Lane Furniture Industries, Inc., Technical Support IT Group, Yash & Prozgroup,	Tupelo, MS	April 4, 2011

	Furniture Brands Int'l		
81,524	FT Material Solutions, Inc., Aerotek, UI Wages Were Reported Through Ferrotec, etc.	Fairview, OR	April 17, 2011
81,540	Rock Creek Athletics, Inc., 203 6th Avenue West, Neff Motivation, Inc.	Grinnell, IA	April 24, 2011
81,540A	Rock Creek Athletics, Inc., 727 6th Avenue West, Neff Motivation, Inc.	Grinnell, IA	April 24, 2011

The following certifications have been issued. The requirements of Section 222(c) (supplier to a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.

TA-W number	Subject firm	Location	Impact date
81,489	Swift Spinning, Inc., East Columbus Plant, Swift Spinning, LLC	Columbus, GA	April 6, 2011
81,489A	Swift Spinning, Inc., CYD	Columbus, GA	April 6, 2011

	Plant, Swift Spinning, LLC		
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NEGATIVE DETERMINATIONS FOR WORKER ADJUSTMENT ASSISTANCE

In the following cases, the investigation revealed that the eligibility criteria for worker adjustment assistance have not been met for the reasons specified.

The investigation revealed that the criterion under paragraph (a)(1), or (b)(1), or (c)(1) (employment decline or threat of separation) of section 222 has not been met.

TA-W number	Subject firm	Location	Impact date
81,493	Wynn Oil Company, ITW, Leased Workers from Select Staffing	Azusa, CA	

The investigation revealed that the criteria under paragraphs (a)(2)(A)(i) (decline in sales or production, or both) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.

TA-W number	Subject firm	Location	Impact date
81,355	Sanmina - SCI, Medical Division	Huntsville, AL	

The investigation revealed that the criteria under paragraphs (a) (2) (A) (increased imports) and (a) (2) (B) (shift in production or services to a foreign country) of section 222 have not been met.

TA-W number	Subject firm	Location	Impact date
81,314	Northwest Hardwoods, Inc., On-Site Leased Workers of Manpower	Tacoma, WA	
81,317	Dana Holding Corporation, Power Technologies Group Division, Manpower	Milwaukee, WI	
81,346	Epicor Software Corporation	Irvine, CA	
81,357	Tri-Fab Associates, Inc.	Fremont, CA	
81,460	Brown Shoe Company, Inc.	Sikeston, MO	

DETERMINATIONS TERMINATING INVESTIGATIONS OF PETITIONS FOR WORKER ADJUSTMENT ASSISTANCE

After notice of the petitions was published in the Federal Register and on the Department's website, as required by Section 221 of the Act (19 USC 2271), the Department initiated investigations of these petitions.

The following determinations terminating investigations were issued because the petitioning groups of workers are covered by active certifications. Consequently, further investigation in these cases would serve no purpose since the petitioning group of workers cannot be covered by more than one certification at a time.

TA-W number	Subject firm	Location	Impact date
81,378	II-VI, Inc., Infrared Optics- Saxonburg Division	Saxonburg, PA	

The following determinations terminating investigations were issued because the petitions are the subject of ongoing investigations under petitions filed earlier covering the same petitioners.

TA-W number	Subject firm	Location	Impact date
81,530	Allied Tube & Conduit	Morrisville, PA	

I hereby certify that the aforementioned determinations were issued during the period of April 30, 2012 through May 4, 2012. These determinations are available on the Department's website [tradeact/taa/taa search form.cfm](http://tradeact/taa/taa_search_form.cfm) under the searchable listing of determinations or by calling the Office of Trade Adjustment Assistance toll free at 888-365-6822.

ELLIOTT S. KUSHNER
Certifying Officer, Office
of Trade Adjustment Assistance
Date: May 11, 2012

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